

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**IN RE DEALER MANAGEMENT  
SYSTEMS ANTITRUST LITIGATION  
MDL 2817**

**No. 18-cv-864**

**Judge Rebecca R. Pallmeyer**

**This document relates to: ALL CASES**

**ORDER**

The parties are directed to provide a joint written report as described in this order on or before March 17, 2023. Motion for a status hearing [1364] is granted, such hearing to take place after review of the report.

**STATEMENT**

This MDL was reassigned to this court in November 2022 [1358], upon Judge Robert Dow's appointment to his position as Counsel to the Chief Justice. Since then, the parties have been waiting with great courtesy (and likely impatience) for further progress. Several motions, including, most notably, a number of significant summary judgment motions, remain pending. The parties have requested a status hearing [1364] to discuss, among other things, the court's "anticipated timing of rulings." The motions have been pending for far longer than is this court's preference or practice. The court had hoped to issue rulings before conducting any further status hearing, and has been working diligently to that end. The court thanks the parties for their continued patience. While the court cannot provide a precise date on which it will rule, it hopes to resolve many—if perhaps not all—of the pending motions within the next month.

To that end, the court requests the parties' assistance. Voluminous briefs have been filed, including a number of briefs that cross-reference other filings. Specifically, for example, CDK's motions with respect to the Dealers and AutoLoop both incorporate Defendants' combined arguments against Authenticom and the Dealers. AutoLoop, in turn, adopts Authenticom's responses—though Authenticom has reached a settlement and no longer has a live controversy

before the court. As one example of the challenge: the court is unsure whether all the sub-arguments in Sections IV.A of Defendants' consolidated brief against Authenticom [966 at 65–70] apply to CDK's pending motions against the Dealers and AutoLoop.

To ensure that the court resolves only those issues necessary for resolution of the motions against AutoLoop and the Dealers, the court requests that the parties provide a joint written report by March 17, identifying those arguments in the Authenticom briefing that continue to be relevant, and the particular Plaintiffs to whom those arguments are relevant. If possible, the report will provide citations to page ranges in the Authenticom briefs. Alternatively, it may be easier for counsel simply to explain which arguments, if any, no longer apply.

If there are other issues the parties wish to discuss with the court in advance of a ruling, they are welcome to raise those issues in the status report due on March 17. The court expects to schedule a status hearing after reviewing that submission.

ENTER:

Dated: March 9, 2023



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REBECCA R. PALLMEYER  
United States District Judge